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11 Section 8  
Patent  
032077.0003.UTL  
Box 505

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 1645  
Daniel P. Gold, et al. ) Examiner: To be assigned  
Serial No.: 09/927,121 )  
Filed: August 10, 2001 )  
For: METHOD AND COMPOSITION )  
FOR ALTERING A B CELL MEDIATED )  
PATHOLOGY )

**SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS**

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**1. Documents Enclosed:**

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION  
UNDER 37 CFR 1.53(b)**, which was mailed by the Patent Office on September 5, 2001  
enclosed are:

- Declaration executed by named inventors;
- Copy of Notice to File Missing Parts of Nonprovisional Application under 37  
CFR 1.53(b);
- Preliminary Amendment;

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

11/5/01  
Date of Deposit

**DISK TO STIC**

**DATE:**



J. Gibbs  
Name of Person Mailing Paper  
J. Gibbs  
Signature of Person Mailing Paper

- Statement to Support Filing and Submission in Accordance with 37 C.F.R. § 1.821-1.825; and
- Sequence Listing in paper copy and on ASCII formatted diskette.

**2. REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

<b>EXTENSION (months)</b>	<b>FEE FOR SMALL ENTITY</b>	<b>FEE FOR OTHER THAN SMALL ENTITY</b>
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two month	\$195.00	\$390.00
<input type="checkbox"/> three month	\$445.00	\$890.00
<input type="checkbox"/> four month	\$695.00	\$1,390.00
<input type="checkbox"/> five month	\$945.00	\$1,890.00

**3. FILING FEES**

<b>BASIC FILING FEE:</b>		
Total Claims	- 20 =	x \$18.00
Independent Claims	- 3 =	x \$80.00
Multiple Dependent Claims	\$270	(if applicable) <input type="checkbox"/>
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$130.00
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.	<input checked="" type="checkbox"/>	\$65.00
Extension of Time (from above)	<input type="checkbox"/>	\$0.00
Assignment--\$40 (if applicable)	<input type="checkbox"/>	\$0.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>		<b>\$65.00</b>

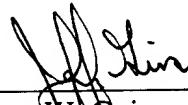
4. **METHOD OF PAYMENT OF FEES:**

- Check in the amount of \$65.00 is enclosed to cover the above fee(s).
- Charge Deposit Account No. **50-1273** in the amount of \$0.00
- The Commissioner is authorized to charge Counsel's Deposit Account No. **50-1273** for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 11/5/01

By:   
Jeffrey W. Guise  
Reg. No. 34,613

JWG:jxb

**BROBECK, PHLEGER & HARRISON LLP**  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/927,121	08/10/2001	Daniel P. Gold	032077.0003.UTL

CONFIRMATION NO. 4259

23865  
 EDWARD O. KRUESSER  
 BROBECK PHLEGER & HARRISON  
 12390 EL CAMINO REAL  
 SAN DIEGO, CA 92130

## FORMALITIES LETTER



\*OC000000006515311\*

Date Mailed: 09/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*Nla*  
*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 032077.0003

PATENT & TRADEMARK OFFICE re patent application of

GOLD, DANIEL P. et al.

Serial No. 09/927,121

Filed: August 16, 2001

for: METHOD AND COMPOSITION FOR ALTERING A B CELL MEDIATED PATHOLOGY

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCCORDANCE WITH 37 C.F.R. § 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

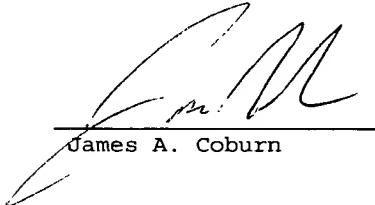
In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/927,121

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,



James A. Coburn

Nov. 2, 2001  
Date

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1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021